S.B. CIVIL WRIT PETITION NO.4339/2004.
(Narender Singh vs. Registrar Co-operative Societies)

DATE OF ORDER : 15.02.2007.

HON'BLE MR. GOVIND MATHUR, J.

Mr. Daushan Paul for the petitioner/s.
Mr. R.K. Kapoor for the respondent/s.

By this petition for writ, the petitioner has claimed appointment on compassionate grounds being sone of late Shri Gurtej Singh who died on 03.03.97 while serving as Vyasthapak Gram Seva Sahkari Samiti 23-H.

It is relevant to note that the respondents immediately after death of Shri Gurtej Singh offered appointment to his widow (mother of the present petitioner) on compassionate grounds, but she denied for that under a communication dated 12.04.97, while desiring to reserve right to claim appointment for her son, who was then minor. The petitioner after acquiring majority, submitted an application to the respondents claiming appointment on compassionate grounds, but the same was not responded. Hence, this petition for writ is preferred.

In reply to the writ petition, it is stated by the respondents that there is no provision for appointment of wards of a deceased employee of the Society on compassionate

grounds. It is also stated that Shri Gurtej Singh died in the year 1997 and, therefore, the adversities suffered due to his death, were not existing at the time of the application submitted by the petitioner.

Heard counsel for the parties.

From perusal of the petition for writ, it does not reveal as to under what provisions, the petitioner is claiming appointment on compassionate grounds. It is well settled that no appointment on compassionate grounds can be claimed as a matter of right. In is only in exception to general rule to meet the harrness suffered by the family on death of the principal bread earner. In the instant matter, Shri Gurtej Singh died in the year 1997 and therefore, after a lapse of about 10 years, it cannot be said that the circumstances prevailing in the month of March 1997 shall be in currency. Beside that specific denial is made by the respondents about the provisions for appointment on compassionate grounds. As such, no relief claimed by the petitioner can be extended.

The writ petition, therefore, is dismissed.

(GOVIND MATHUR)J.

Anil/